

**MINUTES OF THE CITY COMMISSION MEETING
MONDAY, OCTOBER 24, 2016**

The City of Leesburg Commission held a regular meeting Monday, October 24, 2016, in the Commission Chambers at City Hall. Mayor Pro Tem Bone called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian
Commissioner Elise Dennison
Commissioner Dan Robuck
Mayor Pro Tem Bob Bone

Mayor Jay Hurley was absent. Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Fred Morrison, the news media, and others.

Commissioner Christian gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor Pro Tem Bone stated he knows the Mayor wishes he could be here tonight, he and his father are on their way back from a missions trip to Serbia.

PROCLAMATIONS: None

PRESENTATIONS: Amvets - Huey Project Update by Mr. Don VanBeck

Mr. VanBeck stated Wednesday they will start digging in the Veterans Memorial park to install the pipe and the memorial wall. When the Huey was taken to Tucker Steele it drew quite a crowd and he thanked Police Chief Hicks for the help getting it there. The Huey is now back at the airport for some manufacturing and painting and they will also be painting the pipe the Huey will sit on. After the concrete has dried for two or three days the main pipe will be installed and the memorial wall will be coming in from Georgia on the 26th. They expect to have the Huey up and running, as you will, on top of the pipe for the Veteran Day ceremony on November 11th at 2:00 p.m. He stated when they did the big monument dedication there was over a 1,000 people present and he does not know how many will show this time, but they are starting to get press inquiries.

Mayor Pro Tem Bone asked Mr. Van Beck if he has any updated pictures tonight of the huey. Mr. Van Beck answered no. Mayor Pro Tem Bone asked if he could email the updated photos to our City Manager for circulating them and Mr. Van Beck agreed.

Commissioner Dennison stated she is looking forward to seeing the Huey go up.

CONSENT AGENDA:

Item pulled for discussion:

5.C.2 = Leesburg Police Department donation of seized computers

Commissioner Robuck moved to adopt the Consent Agenda except for 5.C.2 and Commissioner Christian seconded the motion.

The Commission unanimously adopted the Consent Agenda.

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

CITY COMMISSION MEETING MINUTES:

Regular meeting held October 10, 2016

PURCHASING ITEMS: None

RESOLUTION 9899

Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a rental agreement between the City of Leesburg and SunAir Aviation, Inc., for an airport hangar located at 8703 Airport Blvd; and providing an effective date.

ADOPTED RESOLUTION 9900 LEESBURG POLICE DEPARTMENT TO DONATE 19 SEIZED COMPUTERS

Commissioner Dennison introduced the resolution to be read by title only. CC Purvis read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA, APPROVING THE LEESBURG POLICE DEPARTMENT TO DONATE 19 SEIZED COMPUTERS TO THE LEESBURG AFRICAN AMERICAN MUSEUM'S YOUTH OPPORTUNITY CENTER AND TO THE WEST LEESBURG COMMUNITY DEVELOPMENT CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Dennison moved to adopt the resolution and Commissioner Robuck seconded the motion.

Mayor Pro Tem Bone requested comments from the Commission and the audience.

Commissioner Dennison asked if this was made available to any other groups in the city and how was it advertised.

Police Chief Rob Hicks stated the need for computers at these two specific locations was actually brought to their attention prior to them having the computers. He spoke with different members of the community and these two were identified with the biggest needs. There are 19 computers to be split between these two and there still are some additional computers for others who may want to come forward and make the request from the Police Department.

The roll call vote was:

Commissioner Robuck	Yes
Commissioner Christian	Abstain
Commissioner Dennison	Yes
Mayor Pro Tem Bone	Yes

Three yeas, no nays, one abstain, the Commission adopted the resolution.

DISCUSSION ON SPECIAL MAGISTRATE

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

CM Minner stated at its last meeting the Commission gave him some directives with the special magistrate and he does not think anybody, at least on his level, knew there was a contract with the special magistrate that did have some indication on how go about terminating the agreement. While he thinks we quasi followed that, we did not follow that in terms of providing notice with that termination. He has spoken with special magistrate Schulte in some detail and she had some concerns; she felt like there was not enough communication which he can understand. The amount of cases which have gone through the system has really increased, so our code enforcement levels are there and he wonders if our expectations on how that goes is in the right place. He thought the best thing to do is ask Ms. Schulte to be here and he thinks she may have a statement for the Commission about her performance and some of the things that she sees we are doing. He thinks this evening is a good time to review this, kind of step back, communicate with Ms. Schulte in this topic, and then move forward as we are.

Mayor Pro Tem Bone asked Special Magistrate Schulte what she would like to present this evening.

Special Magistrate (SM) Kimberly Schulte first thanked the Commissioner she contacted for returning her telephone calls, stating she does appreciate them taking time out of their busy day to communicate with her. She has been the code enforcement magistrate for approximately 14 years and during this time has never had one complaint from any city commissioner, has been through now three city managers and has never had any complaint from any city manager up until now and that was only received on a day when she was briefly told she was fired. In the future she would be happy to go forward continuing to act as the special magistrate, but thinks there needs to be a clear line of communication and she needs to know who she will be hearing from; each commissioner, the city manager, or the Chief of Police Hicks, who by the way two weeks before she received the phone call from Mr. Minner told her in a meeting that he had no complaints. When she received this phone call from Mr. Minner on October 11, telling her that she was terminated it caught her completely off guard because she had no notification that any one was unhappy. She would like to know if she is going to continue to be the special magistrate, and also needs to make sure it is clear that she was terminated without due cause, and in breach of her contract. She is not going to sue, that is not in her nature, but she has been slandered because in the future if she wanted to be a judge this is now on her record, wrongfully. She would like something in the agenda or in the minutes from this meeting indicating that she is going to be the special magistrate, if that is what the Commission decides, that we are going to move forward, and the city is going to retroactively take back the termination because she needs to have a clear record moving forward with her life and her professional life.

SM Schulte stated she truly enjoyed working with Chief Hicks, Lisa, and now CarriAnne, Riley, and Pam; she thinks they make a great team and hopes we do not disturb that. She stated some case statistics from January 1, 2013 to December 31, 2013 there were 647 cases open and only 24 were brought before her. Pursuant to Florida Statute 162.06 she as the magistrate cannot make any complaints, she can make it as a private citizen, but she cannot tell the code officers go investigate this. As a special magistrate, she cannot say what is going to be on the calendar, that is up to her secretary and at the present time it is CarriAnne who is doing a fine job. From January 1, 2014 to December 31, 2014 there were 469 cases open, a reduction from 2013, and only 18 were brought before her;

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

January 1, 2015 to December 31, 2015, 768 cases open, 53 were brought before her and so far this year alone 818 cases through October 20, 2016 have been open and 92 have been brought before her.

Commissioner Christian inquired as to the cases; 92 as opposed to 18.

SM Schulte stated the 18 cases was when Officer Mike Howard was in the office and since then the number has steadily increased. From experience before Officer Howard she had on average between 15 to 35 cases each month and when he got in there the numbers steadily declined. The numbers have increased to 92 so far brought before her this year, so code is doing its job, they are really trying and she thinks they have made a difference as a team; the code enforcement officers and herself as the special magistrate. Should she remain as the special magistrate, she asks to have communication, perhaps between the Police department since it seems as though they have excellent lines of communication, never had any complaints, and that way if the Commission has any issues or concerns she will receive them; she just needs to have a clear line of communication. She is always open to suggestions because as Commissioner Christian stated at the beginning of this meeting, this is a nice city and she thinks we can only make it better.

Commissioner Christian stated the city council has had discussions where commissioners have been a little upset about the enforcement of code enforcement, but he does not think it is their job to call the magistrate. He thinks it goes back to the manager who listens to the commissioners concerns and maybe it wasn't relayed back, but there were several months with discussions on code enforcement that probably should have been brought to the magistrates' attention, so she could attend and defend herself and we dropped the ball by not knowing there was a contract. He is so sorry if she felt like she was slandered, but thinks maybe in the future, now that we know there is a contract we would handle it a little different.

SM Schulte thanked him and stated she is sure Mr. Morrison, a very, very competent attorney, knows the terms of the contract and is aware of it. She is willing to adhere to the terms of the contract if the city is, and the two times the city commission has asked her to appear, she has been here. When she spoke with Commissioner Robuck, he had concerns about delays but everyone needs to understand the city's building department has told her when they come before her that it is a minimum of 45 days to receive a permit and she does not want to set up the fine citizens of Leesburg for failure by telling them they have to have repairs done with the permit within 15 days, because what is going to happen is the fines are going to start accruing, the citizens are not going to be happy, everyone gets calls, or they are going to ask for a rehearing; she can only rule on the evidence that is brought before her. If told 45 days, she has to give the property owners 45 days to obtain a permit and that is what she has done. She presented two large notebooks filled with cases so far just from March to present, with staff recommendations and out of all this time, only twice has staff asked for something and she has gone lower on the amount; example one instance they asked for \$75 per day fine and she did \$50. There have been numerous incidences for 815 Washington Street, where city staff asked for a \$100 - \$150 per day violation because of the atrocious nature of the violation and she set it at \$250 per day. She has heard concerns that she is being too lenient and offered her records if anyone would like to look through them.

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

Commissioner Dennison stated she does not think they have to look through her records because they receive a quarterly report that lists everything done, what was put off, what the fines were, etc. As far as communication goes, and this is just her, but Mr. Minner is in charge of all personnel in the city and she thinks he should be the one person communicating with the special magistrate. It could get very confusing to have five commissioners that might call or other people in the city, but it will just be Mr. Minner.

SM Schulte stated that is fine, she just needs to know.

Commissioner Robuck stated similar to what Commissioner Christian said, he thought staff had been relaying the concerns because the commission did speak about it multiple times. He apologized for whatever happened there. The 45 days for a building permit does concern him, maybe for new construction or commercial; but not for repair. As to code enforcement, he thinks those permits should be prioritized.

SM Schulte stated she was told by building officials that it was 45 days minimum to obtain a permit. On the last emergency hearing she had, she believes the city did expedite that one because it was an elderly gentleman living in the home where there was serious concerns and Mr. Rankin was very helpful, speaking with the building official and got that one expedited.

Commissioner Robuck stated not all are necessarily building permit related, some are for maintenance which does not require a permit. He does review the monthly reports and has noticed the pattern that if the people show up the magistrate is being more lenient on staff recommendations. If they do not show up, then generally staff recommendations are followed.

SM Schulte stated she can show where she has followed staff recommendations. On one incident a couple came in and both testified under oath that they had contacted numerous people in the city and that no one had told them that they needed a permit to cut down a tree. The city said there was no one who could refute that but she still gave them a \$50 one time fine for cutting down the tree without a permit.

Commissioner Robuck stated he cannot tell her what to do, because that is her job as the magistrate, but can say that he will not be happy if just because someone shows up they receive leniency. We did have one recently with a medical issue and those type things, but in general if he were to see that pattern, he will be talking about this again.

SM Schulte replied as to that most recent emergency case she handled she was specifically told to go lenient. She was called in to the city manager's office before the meeting and was specifically told to go lenient. The ironic thing is after the commission meeting, there was the concern that she was being too lenient, yet she was called in to the city manager's office and told to be lenient. This is what she means about mixed signals. She does not know that she was necessarily lenient with that person, but found a way to work with the property owner and the city and thinks the issue was resolved. She stated her job is to try to look at the evidence brought before her and make a ruling on that and try to make sure that the city is protected, that the health, safety, and welfare of the citizens is protected, and also that the property owner is protected, but get done what needs to be done.

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

Commissioner Christian thinks if you have someone with a medical incident that is a special case, but his concern is the repeat customer who is just ignoring the code. If someone has a neighbor who just is not maintaining his grass and then only cuts it after code enforcement comes out and they get a fine, then here we go again every six months it is the same thing. It is happening throughout the city and he thinks code enforcement is to make people come into compliance.

SM Schulte stated she understands that and when that happens, when it is brought back before her as a repeat violation, instead of up to \$250 a day fine she can do up to \$500 a day, but she has to take into the consideration the gravity of the violation, have they been cooperative, and other factors and believes she does that. Unfortunately, she cannot go out and tell someone mow your lawn, she can only enter an order and have them served with it.

Mayor Pro Tem Bone stated he knows overall code enforcement is kind of a sensitive and touchy area of the city and has had the fortune or misfortune of being involved in a lot of aspects. He has been a special magistrate, has presented cases as an attorney to two special magistrates, worked for a city and presented cases to a code enforcement board and has represented the code enforcement board. The only aspect he has not done is be a code officer and he knows it is a hard job for them as well. Trying to work with people and being tough enough you just have to be able to live with whatever decisions you make and it might make some commissioners unhappy or make some of them happy.

CM Minner stated his management opinion with regard to the special magistrate contract is she does have a contract and that contract does have a termination clause in it. The commission, similar to our contract with the city manager, has a termination clause in there that you can terminate the special magistrate for or without cause and it requires a 30-day notice. His opinion was that the commission went to orchestrate that paragraph and we did not orchestrate it correctly because we never issued formal notice to the special magistrate; so therefore the special magistrate is not terminated. At the end of this proceeding, he thinks the commission will say move forward Special Magistrate Schulte and go on. The only other issues he would like to point out is as far as communication, he will gleefully accept his responsibility in this communication failure; it will not happen again. Third, as far as how we move organizationally as Commissioner Dennison spoke to is really simple, he does not think anything changes. The special magistrate works hand in hand with code enforcement and the chief of police and they need to continue to have that relationship with setting up the agenda and with the cases that go before the special magistrate; it really does come from code enforcement, not from his level. He would interfere with that process as he did with the one here previously which he will go into some detail on because he does not completely agree with how the special magistrate teed it up; he will give his side of the story. With direction from the commission, ultimately the commission is the boss, and he thinks the special magistrate understands that and if you have clear direction that you have given him in the past, he will see that that direction is carried out better in the future, so the communication train is hereby fixed and will not falter again.

SM Schulte introduced her Office Manager, Chase Westbrook, and stated he sent an e-mail to Mr. Minner with all her contact information as well as their office hours.

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

CM Minner stated with respect to leniency there was a case that came up, he did not think staff was handling it appropriately and instructed the Deputy City Manager to speak with the special magistrate about how he thought this needed to be handled and it was handled accordingly; period end of story and we did the right thing. He would have addressed the special magistrate had he been here, but had a conflict so instructed the deputy and yes, if you want to coin it as leniency we asked for leniency, but we asked for leniency because he did not think process was being followed corrected, there were some public safety issues there that needed to be addressed quickly and where staff was going was incorrect, so he intervened. As to the books the special magistrate showed earlier, he will take a little bit of credit for those, because of the actions the commission has directed. We have increased code enforcement, brought on new officers, it is a priority to the chief and the police department so he thinks we are aggressively addressing code enforcement issues and it is a tough job, but is getting done. At the end of the day, he does not think the special magistrate holds the key to the success of our code enforcement program, frankly he thinks the commission does and thinks you have given us the reins to do the right thing by adding more personnel and being aggressive about code enforcement. For two years strong now, it has done well and he thinks that is a reflection of the commission and the team we have.

Mayor Pro Tem Bone thinks we are heading in the right direction with code enforcement and with the added administrative position for the chief, obviously it was needed with the amount of volume going on. Moving forward he does not think we need to do anything further and thanked everyone for their work.

CM Minner stated to sum it up for the commission, henceforth Kim Schulte is still the special magistrate until further notice.

SM Schulte stated after doing this for 14 years, she just wants to make sure that in 30 days she is not going to get a notice saying you are terminated.

Commissioner Robuck stated the intent is not there.

SM Schulte thanked him for clarifying.

Mayor Pro Tem Bone stated communication can go both ways, so even when not hearing from the Chief or the City Manager, it could be appropriate that you reach out and ask how are things going, am I doing alright, or any comments on the work being done.

SM Schulte stated she will be happy to do that and if there is ever a time the commission wants updates, please just schedule with her office manager and she will come to the city commission meetings.

CONSIDERATION OF ARLINGTON RIDGE DEVELOPMENT AGREEMENT

CM Minner stated this agreement basically allows Arlington Ridge to process some new construction a little bit quicker. They have asked to start construction on houses without the final plat and on a staff level we have agreed to that and there are some caveats in the agreement that protects the city and no CO is issued until the final plat is made. He

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

thinks this is a good thing; it is friendly to development and encourages new development in the community.

Commissioner Christian asked if they are working on the final plat for submission.

Robbie Salzman stated right now they are still trying to get the development permit, but have already started on the plat and this does not go into effect until the plat is submitted. There is about a six to eight week lag between the time you finish the development and the time it can get recorded, so this just lets them start houses when the roads are out there and they have people waiting to move in. This will not go into effect until, that is one of the conditions, that the plat has been submitted.

Commissioner Dennison stated she has no problem with this and can understand with the economy turning around, the need for more homes, and being a neighbor of Arlington Ridge, thinks this is a good idea.

Commissioner Dennison moved to approve the Development Agreement and Commissioner Christian seconded the motion.

Mayor Pro Tem Bone asked for any further comments. There were none.

The roll call vote was:

Commissioner Christian	Yes
Commissioner Dennison	Yes
Commissioner Robuck	Abstain
Mayor Pro Tem Bone	Yes

Three yeas, no nays, one abstain, the Commission approved the agreement.

ADOPTED RESOLUTION 9901 DESIGN-BUILD AGREEMENT WITH MARBEK CONSTRUCTION

CM Minner stated this is staff's second attempt at the design for the pavilion. The two questions for the commission are do you like the remodel and are we willing to spend \$520,000. The difference in our estimated budget, thinks there was \$425,000 left, is actually old DOT money received from DOT that was encumbered for maintenance. We fund that a little bit differently so that was actually free general fund money we can shift anywhere, so we have that cost covered here.

Public Works Director (PWD) DC Maudlin stated four separate issues were addressed. One, there was a request for more glass, so we have opened it up with basically floor to ceiling glass panes throughout. Two, the brick stucco was a little to traditional, so to make it look more lake front went from the stucco to a hardy plank siding. The parking lot side of the building was too plain so we now have a rear canopy, columns, and a double door and also increased windows on the parking lot side. Third, the rectangular foot print was a little to boxy, so now you have almost, not really a T-type section but the bathroom area is a little smaller, not quite as deep as the main party area and Fourth, we extended the party area out so it goes all the way to what was in the earlier version the covered porch area.

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

Commissioner Robuck stated it is a major improvement. The only thing and it is really minor, but the grids over the doors do not match the ones over the windows.

PWD Maudlin replied they will for construction.

CM Minner stated essentially, we are looking for a motion to accept the design, move forward with the contract, and to shift the funds.

Commissioner Dennison introduced the resolution to be read by title only. CC Purvis read the resolution by title only, as follows:

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
LEESBURG, FLORIDA, AUTHORIZING THE MAYOR AND CITY
CLERK TO EXECUTE A DESIGN-BUILD AGREEMENT WITH
MARBEK CONSTRUCTION FOR THE ROGERS PARK PAVILION
FOR AN AMOUNT NOT TO EXCEED \$520,000.00; AND
PROVIDING AN EFFECTIVE DATE.

Commissioner Dennison moved to accept the staff recommendations, including the transfer of funds, and move ahead with this project and Commissioner Christian seconded the motion.

Mayor Pro Tem Bone requested comments from the Commission and the audience.

Commissioner Christian stated he likes the new design but wants to make sure we understand that we are almost \$100,000 above our budget and had no problem making a motion and getting a second to shift those funds around. When other projects come up in the near future, he wants to make sure we have the same vigor, excitement, and enthusiasm to move money to complete those projects in other parts of our city.

Mayor Pro Tem Bone stated this is a long way from where we started when we went out and had meetings there on the site and talked about whether to renovate that old building or not. He thinks spending the extra money is worth it to do this design and agrees with Commissioner Christian that if we are going to do other projects, and he is a believer if going to spend money to do a project that we do it the right way and make it something the city is proud of. He asked if any square footage was lost in this re-design.

PWD Maudlin replied this was scaled down from what was originally advertised; this one and the previous one presented are the same square footage. Some square footage was lost because the restroom facility was shrunken.

Mayor Pro Tem Bone asked if the outdoor concept of having the patio is still within this design and PWD Maudlin replied it is.

The roll call vote was:

Commissioner Dennison	Yes
Commissioner Robuck	Abstain
Commissioner Christian	Yes

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

Mayor Pro Tem Bone Yes

Three yeas, no nays, one abstain, the Commission adopted the resolution.

FIRST READING OF AN ORDINANCE AMENDING THE GENERAL EMPLOYEES RETIREMENT PLAN

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, FURTHER AMENDING THE CITY OF LEESBURG RETIREMENT PLAN FOR GENERAL EMPLOYEES, ADOPTED PURSUANT TO ORDINANCE NO. 03-57, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 2, MEMBERSHIP; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 8, DISABILITY; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 14, MAXIMUM PENSION; AMENDING SECTION 15, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 25, PRIOR GOVERNMENT SERVICE; AMENDING SECTION 26, REEMPLOYMENT AFTER RETIREMENT; AMENDING SECTION 27, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Bone requested comments from the Commission and the audience. There were none.

FIRST READING OF AN ORDINANCE REZONING APPROXIMATELY THIRTY (30) ACRES FROM C-3 (HIGHWAY COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) (STONEGATE)

Commissioner Robuck introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 30 +/- ACRES FROM C-3 (HIGHWAY COMMERCIAL) TO PUD (PLANNED UNIT DEVELOPMENT) ON PROPERTY GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF ARLINGTON RIDGE BOULEVARD AND US HIGHWAY 27 AND LYING EAST OF US HIGHWAY 27, AS LEGALLY DESCRIBED IN SECTIONS 13, 14, 23, AND 24, TOWNSHIP 20 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (STONEGATE)

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

Mayor Pro Tem Bone requested comments from the Commission and the audience.

Commissioner Christian requested a better conceptual site plan be provided prior to the second reading. CM agreed.

FIRST READING OF AN ORDINANCE REZONING APPROXIMATELY 85 ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) (VENETIAN ISLES)

Commissioner Dennison introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only, as follows:

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING APPROXIMATELY 85 +/- ACRES FROM PUD (PLANNED UNIT DEVELOPMENT) TO PUD (PLANNED UNIT DEVELOPMENT) ON PROPERTY GENERALLY LOCATED SOUTH OF THE INTERSECTION OF EAST DIXIE AVENUE AND SOUTH LAKE STREET AND NORTH OF MELLATHON CIRCLE, AS LEGALLY DESCRIBED IN SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE. (VENETIAN ISLES)

Mayor Pro Tem Bone requested comments from the Commission and the audience.

Commissioner Dennison stated she is glad this is finally coming to fruition; glad the doctors have finally gotten their act together for this facility.

Commissioner Robuck stated he does not want to change this PUD because it is actually part of one that was approved prior, but on some of the design standards on 5-E-3, the third option is an all stucco option and then have to put in some features, but it is just up to the community development department to determine that. Going forward on future projects, he would personally like to see something more specific because the other two options are much more restrictive and while he certainly trusts Dan's judgment, just in general the idea of letting one staff person determine that, he would like to see more specifics.

Commissioner Christian asked what are the actual changes being made from this one to the last PUD.

Planning and Zoning Manager (PZM) Dan Miller stated the only change is adding a 55 plus apartment type complex on six acres, located on Option A of the site plan; 98 units on six acres, seniors only.

Commissioner Christian asked if we have a time line yet when they are going to do something.

Tony Bengé, developer, stated the doctors, who are the new owners of the property, want to open their offices on the site as well, so there is some inherent movement for at least a

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

few of the medical components to be done right way. They are working with BESH Engineering and are spending everything necessary to get the permits as fast as they can.

INFORMATIONAL REPORTS: None

CITY ATTORNEY ITEMS: None

CITY MANAGER ITEMS: None

PUBLIC COMMENTS:

Caroline VanDyken requested more Police presence in Palmora Park during the Halloween trick-or-treat hours to help keep all our children safe.

ROLL CALL:

Commissioner Dennison thanked the Emmanuel Baptist Church who a week ago Sunday had a service for our First Responders and it was well received. There was present the Police, the Fire, EMTs, and the Sheriffs' department and they did a really nice job; so thank you. She stated she has received a note from her Airport Advisory Board representative that he will be stepping down and retiring. She announced that she is immediately replacing her representative with Mr. Alan Reisman, who worked for Brainerd Helicopter, then worked for the Villages, and is now back at Brainerd again. He has been very dedicated to this airport and she thinks he will do an excellent job.

Commissioner Christian had nothing this evening.

Commissioner Robuck stated in regards to the comments made about making city buildings nice, he is excited with the direction the pavilion is going and is also excited about the direction our future buildings are going. He stated Commissioner Christian was out of town during the last CRA meeting where we discussed West Leesburg, and at least he did not get the opinion that the majority of the Commission was concerned with trying to cut costs there; the concern was trying to get information on what we were going to do and making sure we have it right. He thinks it is going to be a great project and all the other ones will be too.

Mayor Pro Tem Bone stated he drove by the park again the other day and many kids were out there playing in that playground, so he thinks moving it up front there makes it so visible that you can see the activity rather than being stuck back in the corner. He thanked Travis, his staff and the police officers for the event this weekend on Saturday at Ski Beach, it was another nice event, good day, and no rain this time. He stated one of our downtown merchants called him about the parking issue with the college and they are a great partner downtown to have, they work real hard to work with us, but his guess is that there is still a particular issue there with parking. **Commissioner Christian** asked about the legality of walking across the street and stated he has almost been in two accidents where beacon college students just walk across the street. Who has the right of way if someone is driving down the road and they just walk across. **CA Morrison** stated it is ambiguous; the law says that motorist must yield to pedestrians in a designated cross walk, but it also says you cannot run over them. So if they are out there it really doesn't

MINUTES OF THE CITY COMMISSION MEETING MONDAY, OCTOBER 24, 2016

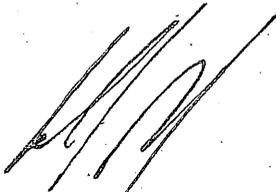
matter if they are in the cross walk or not. **Commissioner Robuck** asked about getting some flashing walk signs maybe down by the Library where there is a designated cross walk. **CM Minner** stated staff is actually working on that. **Mayor Pro Tem Bone** stated the merchant is being told as far as the time that marking the tires and that kind of thing, there really is not the staff and time to go and do that. He is not sure what the solution is on, but does know that the college is open to trying to resolve issues and they want to be good neighbors downtown. **Commissioner Christian** suggested using the top of the parking garage for employees and students. **CM Minner** stated it has been discussed. **Commissioner Robuck** suggested putting in parking meters because really they have every right to park there as anyone else. **Mayor Pro Tem Bone** suggested maybe a voucher program with the downtown merchants, so if you had a parking system that did require payment, if you were shopping or eating with the local merchant you could get the voucher then you did not have to pay or something like that. He stated on a political matter that is very relevant to our area in Leesburg and to North Lake County, he knows there may be other different views, but the hospital district vote coming up is very important. The hospital tax goes to help not only the hospital, but also to help the clinics who provide care to indigent people and that indigent care is based on a 200% of the poverty level, they cannot have insurance, and have to live within the district. He sat on that hospital district for four years and saw the budgets, was there when laws were changed that required more transparency so that the hospital and clinics have to produce their information and it has to be audited. There is a great need for indigent care in our area and he thinks this is important because it does provide the hospital and clinics the ability to provide this healthcare and also continue to be able to provide top notch care not just to the indigent, but to everybody. That is a benefit we have in Leesburg, to have a good hospital, good doctors, and good medical offices that are doing some good things that we even talked about here tonight. He would encourage everyone to vote to continue that hospital district.

Commissioner Robuck stated he attended the FMPA meeting last week and some things have changed in Tallahassee. Year after year Representative Mayfield from Vero Beach tries to bring up a bill basically to say that she does not want municipalities to be in the business of providing electricity and they had a similar situation in Vero in the sense that they have members inside and outside the city and all are served by the city. That bill has gone nowhere, she was term limited out but is now going to be Senator Mayfield and there are now three other senators, the lobbyist provided a presentation, where this looked like it was going nowhere and all of a sudden it has been picked up. He thinks we need to have a workshop to discuss the possibility of a utility authority which is one direction cities have gone to. Not that he is wild about utility authorities, but it is either that or let the State tell us what to do. He thinks it would be good, especially if we could get the FMPA lobbyist or someone from the FMPA to come and brief us on this issue and possible ways we could do to put ourselves in a good position going forward. **Commissioner Dennison** stated it would be good to get ahead of this thing. **Commissioner Robuck** stated exactly, and last year we received the letter from Representative Larry Metz, an issue he stayed out of, and all of a sudden comes in on, so that just kind of tells you this is going places in Tallahassee. **Mayor Pro Tem Bone** thinks it is good that we be prepared whether this happens or not, but be prepared for it to happen. **CM Minner** stated he will get the Commission some information on this; absolutely.

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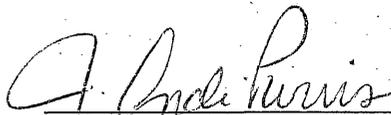
ADJOURN:

The meeting adjourned at 6:37 p.m.



Mayor Pro Tem - Robert Bone

ATTEST:



J. Andi Purvis
City Clerk & Recorder